



**DEPARTMENT OF CORRECTIONS  
YOUTH COMMUNITY CORRECTIONS BUREAU  
POLICY**

Policy No.: YCC 3.1.8	Subject: <b>USE OF CONTROL CONTINUUM AND RESTRAINTS</b>
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Section 1: Security and Control	Revision Date: 01-09-06, 11-06-06, 11-23-07, 02-17-10, 05-24-10
Applicable ACA Standards: 2-7163-1, 2-7164, 2-7164-1, 2-7167, 2-7168	
Signature: /s/ Karen Duncan	Effective Date: 05-15-03
Signature: /s/ Steve Gibson	

**I. POLICY:**

The Youth Community Corrections (YCC) bureau will provide employees with direction and training on the permissible use of control actions to ensure that force is used only when reasonable and necessary, and only to the degree necessary to control youth or restore order to a disruptive group in which a parolee is present to promote the safety of those involved. These measures are not intended and will not be used as a means of punishment on youth. This policy will be reviewed annually and updated as needed.

**II. APPLICABILITY:**

All YCC facilities and programs

**III. DEFINITIONS:**

**Immediate Response** – action that staff may immediately take in response to an emergency situation that constitutes a serious threat to the safety of staff, youth or other individuals, and to property or facility security or order. It applies when circumstances do not permit advance planning, consultation or approval by a higher-ranking staff member.

**Lethal Force** – force that may reasonably be expected to cause serious injury or death.

**Non-Lethal Force** – physical force not intended nor reasonably expected to cause serious injury or death.

**IV. BUREAU DIRECTIVES:**

**A. Control Continuum Application**

1. Control may be necessary in daily interactions in the following situations:
  - a. in self-defense;
  - b. in defense of others;
  - c. for enforcement of Department rules and regulations;
  - d. to prevent criminal activity;

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- e. to prevent escape;
- f. to control a threatening youth;
- g. to separate participants in a fight;
- h. to prevent destruction of property;
- i. to prevent suicide; and
- j. to prevent self-mutilation.

2. YCC bureau will have operational procedures that:

- a. provide a spectrum of control options that include nonphysical control strategies, non-lethal physical force control measures;
- b. govern the availability, control and use of safety equipment;
- c. mandate successful completion of an approved training curriculum that includes initial and in-service training and required certification and re-certification for all staff in the use of safety equipment and approved types of control actions in accordance with [YCC 1.4.1, Staff Development and Training](#);
- d. require adequate staff documentation and prompt reporting of incidents [refer to [YCC 90-1 \(A\), Incident Report Form](#)]; and,
- e. stipulate the protocol for incident investigation and reporting.

**B. Restrictions**

- 1. Staff will use only authorized, bureau-issued and inventoried safety equipment.
- 2. Under no circumstances will a Juvenile Parole Officer (JPO) be permitted to carry a firearm.
- 3. Control methods will not be used as punishment, harassment, coercion, humiliation, degradation or abuse of youth.

**C. Authorization**

- 1. The YCC bureau will have procedures that specify what level of authority is required for purchase, access and use of all safety equipment.
- 2. Chemical agents, conductive energy devices, or impact weapons such as collapsible batons, riot batons or riot shields will not be used by YCC bureau staff.

**D. Response**

- 1. Planned Control Methods
  - a. will be accompanied by Non-Violent Crisis Intervention (NVCI)

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- b. continuum (extensive nonphysical efforts) to resolve the issue; may be used at any level in the control continuum (refer to section E below);
- c. intermediate weapons level requires law enforcement involvement and notification to YCC bureau chief or designee;
- d. must utilize available protective safety equipment;

2. Immediate Response

- a. may be used by a staff member to respond to an emergency when there is no time to formulate a plan or to notify an immediate supervisor;
- b. may be used in a situation that constitutes a serious threat to the safety of staff, youth, the public, or facility security; and,
- c. may be used if doing so will not jeopardize staff safety.

**E. Control Continuum**

1. The DOC control continuum describes the progressive levels of action that may be necessary to gain control of a youth or situation, beginning with nonphysical measures, progressing to intermediate non-lethal control alternatives, and, as a last resort, the use of lethal force which must be conducted by law enforcement [refer to [YCC 60-21 \(A\), DOC Control Continuum](#)]. YCC staff members are never authorized to use lethal force, firearms, edged weapons, or impact weapons.
2. Use of control decisions will be made in accordance with Department directives, statutory authority, Department-approved division and facility operating procedures and employed only to the degree necessary and to a level that will be effective with a minimum of harm to both staff and youth.
3. Staff is expected to know, and be able to apply, the proper level and type of control actions needed to maintain or regain control of youth and the facility operation.

**F. Nonphysical Control Methods**

The following techniques or strategies may be used by staff to maintain control or gain compliance of a youth without forcible physical contact:

1. officer presence to indicate staff is present and attentive;
2. verbal communication to problem-solve, de-escalate and resolve a situation;
3. videotaping of the youth to record the factual events; and

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4. show of force by the movement of appropriate staff and/or law enforcement officers, equipment, and weapons to an incident site to convince a youth that adequate staff and measures are available and will be used to resolve the situation.

## **G. Physical Use of Force**

The YCC bureau will establish detailed procedures for the use of non-lethal physical force control measures.

### **1. Non-Lethal Force**

- a. Non lethal force may be used to:
  - i. stop potentially dangerous and unlawful behavior;
  - ii. protect a staff member or another from injury or death; and
  - iii. support the process of implementing lawful orders when the youth offers resistance.
- b. Procedures will include the requirements for use of each level of non-lethal physical control such as:
  - i. pain compliance and leverage techniques to overcome low levels of youth resistance;
  - ii. use of appropriate restraints, cuffing, and empty-hand control techniques when threat of serious injury to staff exists;

### **2. Lethal Force**

- a. YCC staff members are not trained or authorized to use lethal force.
- b. The procedure must list conditions or elements that must be part of the decision-making process for personnel trained and authorized to use lethal force, such as law enforcement, to determine whether the youth's actions constitute the threat of imminent danger of death or serious bodily injury.

## **H. Medical Care Requirements**

1. YCC bureau procedures will include the medical review and examination requirements for youth involved in and affected by use of force actions in immediate response incidents.
2. YCC bureau procedures will mandate that all individuals exposed to chemical agents be examined and, if necessary, treated by a health care provider.
3. Procedures will include the requirements for medical attention, supervision and observation of youth subject to the use of restraints.

## **I. Training Requirements**

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1. The training coordinator will ensure that appropriate use of control continuum training is provided to YCC bureau staff.
2. The training experience must convey to YCC bureau staff that reasonable use of control continuum methods is their duty, is an appropriate action under difficult and often unpredictable circumstances, is an utmost test of their professionalism, and has the support and confidence of the administration.
3. The YCC bureau will train staff on procedures required by this policy as well as include the following topics in the training curriculum:
  - a. review of relevant Department policy and directives;
  - b. use of control continuum decision-making;
  - c. verbal communication skills and conflict management;
  - d. appropriate physical control methods;
  - e. competency in use of control continuum equipment and techniques;
  - f. chemical agent effects;
  - g. thorough knowledge of medical assessment requirements;
  - h. documentation and reporting requirements;
  - i. legal and ethical aspects of control methods;
  - j. the importance of comprehensive incident review;
  - k. key indicators and implications of excessive use of force;
  - l. consequences for failure to report incidents;
  - m. NVCi;
  - n. Pressure Point Control Tactics (PPCT).

#### **J. Supervision Requirements**

In order to adequately supervise and monitor all use of force incidents, YCC bureau procedures will include the following essential elements:

1. a clear message to staff that each use of force incident is a critical event that is taken seriously, and the related oversight is an expression of that importance;
2. immediate disciplinary consequences or corrective actions for malicious or excessive use of force;
3. a plan for formal review and information-sharing by key administrators and supervisors to include taped interviews with involved staff and a thorough examination of documents, videotapes, and related material;
4. administrative encouragement of staff accountability through tangible support for excellent work, constructive criticism toward improved performance, and

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assurance of fair treatment; and

5. the forwarding of all use of force incident information after completion of administrative review and investigation to the YSD training coordinator for review and potential training revisions.

#### **K. Reporting Requirements**

1. The YCC bureau will establish use of control continuum documentation and reporting procedures and ensure accountability through supervisory oversight to ensure a complete historical record of each incident.
2. Procedures will be written to include the following components:
  - a. each involved staff person will submit initial reports that provide the basic information surrounding the incident by end of the shift in which the incident occurred. The initial report will include a [Use of Force Information Sheet \[YCC 60-21 \(B\)\]](#) and an [Incident Report Form \[YCC 90-1 \(A\)\]](#).
  - b. involved staff will submit any and all supplemental information and final reports within 72 hours of the incident if all significant details were not provided in the initial report;
  - c. the appropriate supervisor will complete a [Use of Force Evaluation Report \[YCC 60-21 \(C\)\]](#) that includes a full description of incident details and supporting evidence such as videotape or photographs;
  - d. attending health care providers will submit a medical report for inclusion in the [Use of Force Evaluation Report \[YCC 60-21 \(C\)\]](#);
  - e. a chain-of-command routing system will ensure comprehensive report review, referral;
  - f. the shift supervisor reporting the incident will submit the DOC [Use of Force Information Sheet – Shift Supervisor](#) form, and other available evidence through the chain of command to the YCC bureau chief by the end of the shift in which the incident occurred;
  - g. the YCC bureau chief, or designee, will submit the DOC [Use of Force Evaluation Report](#), which includes a full description of incident details and supporting evidence such as videotape or photographs, to the investigations bureau within ten working days of the incident;
  - h. the facility administrator, or JPO II or designee, will report incidents involving use of force, which may bring media attention, public safety concerns or involve significant Department liability because of the nature of the incident, parties involved, or other circumstances, to the Department legal staff and public information officer as soon as practical;
  - i. for investigation, if warranted, and Department-level review for meaningful analysis of incident rates, patterns, and trends [refer to [YCC](#)

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- j. [60-21 \(D\), Use of Force Evaluation Report \(Central Office\)](#)]; and notice will be provided that failure to report will be treated as a possible criminal offense and regarded as willful, unprofessional conduct that will result in disciplinary action up to possible dismissal.

#### **L. Administrative Review**

1. In order to evaluate Department use of force incidents, establish mitigating measures, and develop ongoing staff development training initiatives, the investigations bureau is responsible for the following activities:
  - a. review, analyze, and determine if a reported incident requires additional investigation or action and make recommendations to facility and program administrators on the [Use of Force Evaluation Report – Investigations Bureau](#);
  - b. maintain, control, and make available for review by appropriate staff the reports of all use of force incidents, videotapes and other evidence;
  - c. identify what present as common occurrences such as policy, equipment or employee failures in following policy and procedure and address and facilitate solutions;
  - d. maintain a centralized database of use of force incidents and prepare and distribute a monthly use of force report to the staff development and training bureau chief and to each facility and program administrator; and
  - e. in conjunction with the staff development and training bureau, facilitate a fiscal year annual use of force meeting, including staff from each facility and program, to analyze use of force incidents, develop recommendations, and prepare an annual report to the Department director.

#### **V. CLOSING:**

Questions concerning this policy should be directed to the youth community corrections bureau chief.

#### **VI. REFERENCES:**

<a href="#">2-15-112, MCA</a>	<a href="#">Duties and Powers of Department Heads</a>
<a href="#">45-3-102, MCA</a>	<a href="#">Use of Force in Defense of Person</a>
<a href="#">45-3-106, MCA</a>	<a href="#">Use of Force to Prevent Escape</a>
<a href="#">53-1-203, MCA</a>	<a href="#">Powers and Duties of Department of Corrections</a>
<a href="#">DOC 1.4.1</a>	<a href="#">Staff Development and Training</a>
<a href="#">DOC 3.1.8</a>	<a href="#">Use of Force and Restraints</a>
<a href="#">DOC 3.1.12</a>	<a href="#">Offender Escort &amp; Transport</a>
<a href="#">YCC 1.4.1</a>	<a href="#">Staff Development and Training</a>
<a href="#">YCC 60-21</a>	<a href="#">Use of Control Continuum and Restraints</a>

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**VII. ATTACHMENTS:**

None